

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

MAY 04 2006

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JOSEPH PHILLIP BIGUS, BRIAN JOHN CRAGUN,
and HELEN ROXLO DELP

Application No. 09/100,595

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on March 30, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

Appellants filed the following Information Disclosure Statements (IDS's):

IDS filed 03/24/99	IDS filed 07/19/04
IDS filed 04/02/99	IDS filed 07/21/04
IDS filed 01/24/00	IDS filed 08/17/05
IDS filed 02/17/00	IDS filed 08/19/05
IDS filed 06/19/01	IDS filed 09/28/05
IDS filed 06/22/01	IDS filed 09/30/95
IDS filed 05/13/02	IDS filed 11/21/05
IDS filed 02/19/03	IDS filed 03/23/06
IDS filed 01/26/04	

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It is not clear from the record whether the examiner considered the above listed IDS's, or whether the examiner notified appellants as to why their submissions did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Accordingly, it is

ORDERED that the application is returned to the examiner for consideration of the above-listed IDS's, written notification to appellants of consideration, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



DALE M. SHAW

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DMS/clm